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May 16, 2024

**Via Electronic Filing**

Honorable Arun Subramanian  
United States District Court  
Southern District of New York  
500 Pearl Street, Courtroom 15A  
New York, New York 10007

**Re: Milwaukee Electric Tool, Corporation v Maersk A/S**  
**Case No. 1:24-cv-00915**  
**Letter Motion for Adjournment of Pretrial Conference and Extend Deadline**  
**for filing Civil Case Management Plan and Schedule.**

Dear Judge Subramanian,

Plaintiff Milwaukee Electric Tool, Corporation (hereinafter “Plaintiff”), by and through undersigned counsel, respectfully submits this letter motion pursuant to Section 3.E of this Honorable Court’s individual practices to request an adjournment of the Pretrial Conference in this matter. In support thereof, Plaintiff respectfully shows as follows:

Plaintiff’s Complaint was filed on February 7, 2024. Doc. 1. This Honorable Court issued a Notice of Pretrial Conference on February 12, 2024, setting a telephone conference for May 20, 2024 at 4:30 PM. Doc. 4. Defendant Maersk A/S (hereinafter “Defendant”) executed a waiver of the service of summons on April 16, 2024. (Doc. 6). Pursuant to the Federal Rules of Civil Procedure, Defendant’s responsive pleading is presently due on or before June 10, 2024. *Id.*

The present matter is a claim for allegedly damaged cargo pursuant to the Carriage of Goods by Sea Act (“COGSA”), 46 U.S.C. § 30701 *et seq.* (note). The amount claimed by Plaintiff is less than USD \$40,000 and the parties are engaged in discussions to attempt to negotiate a pre-answer resolution of the matter. In furtherance of those goals, Plaintiff has served preliminary claim and disclosure documentation on Defendant by agreement and in advance of the responsive pleading deadline. Accordingly, the Parties would respectfully request a short adjournment of the telephone conference to on or after June 17, 2024, and for the proposed Civil Case Management Plan and Schedule to be filed on or before June 13, 2024.



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This is the first request for extension of time to adjourn the Preliminary Conference. Respectfully, there are no current Court dates, appearances, or deadlines (other than those identified in this letter) which will be impacted by the requested adjournment. The request is made not for the purposes of delay, but in good faith so that the parties may have additional time to attempt to resolve the pending dispute and permit Defendant the opportunity to file its responsive pleading in advance of the pretrial conference to the extent a resolution is not reached.

In advance, we thank the Court for its consideration of the request.

Respectfully submitted,

Chalos & Co, P.C.

Briton P. Sparkman

cc: **Via Email**

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Application granted. The initial pretrial conference is adjourned to June 17, 2024, at 11:30 AM. The CMP and status letter are now due June 13, 2024.

The Clerk of Court is directed to terminate the motion at Dkt. 7

SO ORDERED.

Arun Subramanian, U.S.D.J.

Date: May 17, 2024